



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

ok

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

April 10, 2002

Rick Olsen, General Manager
Canyon Fuel Company, LLC
P.O. Box 1029
Wellington, Utah 84542

RE: Topsoil Storage, Canyon Fuel Company, LLC., Dugout Mine, C/007/039-02A, Outgoing File

Dear Mr. Olsen:

The above-referenced amendment has been reviewed. There is a deficiency that must be adequately addressed prior to approval. A copy of our Technical Analysis is enclosed for your information. In order for us to continue to process your application, please respond to these deficiencies by July 9, 2002, otherwise the Division will return your application.

If you have any questions, please call me at (801) 538-5268 or Stephen J. Demczak at (435) 613-5242.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Pamela Grubaugh-Littig'.

Pamela Grubaugh-Littig
Permit Supervisor

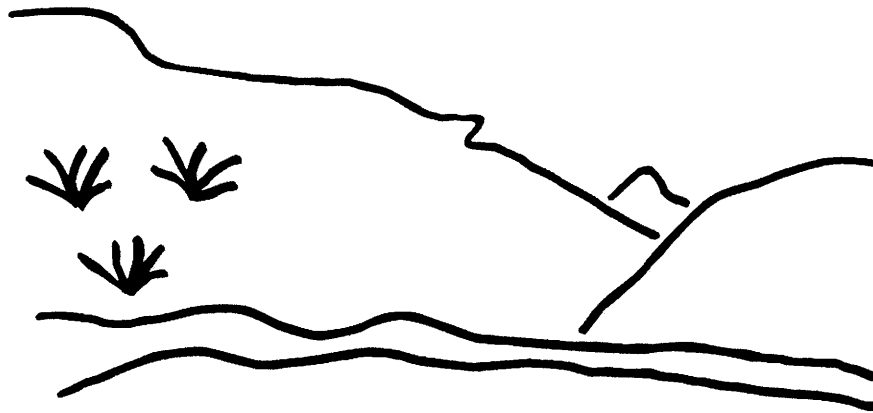
SJD/sd

Enclosure

cc: Price Field Office

P:\GROUPS\COAL\WP\007039.DUG\FINAL\DEF02A.DOC

State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Dugout Mine
Topsoil Storage
C/007/039-02A
Technical Analysis
April 9, 2002

TABLE OF CONTENTS

INTRODUCTION.....	1
SUMMARY OF DEFICIENCIES.....	3
OPERATION PLAN	5
MINING OPERATIONS AND FACILITIES.....	5
Facilities and Structures.....	5
MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS.....	5
Mining Facilities Maps	6
RULES INDEX	9

TABLE OF CONTENTS

INTRODUCTION

TECHNICAL ANALYSIS

INTRODUCTION

The permittee submitted an amendment to expand the topsoil storage pile for the Dugout mine. The expansion is needed to store soils from the Gilson Well Project. The construction of the Well facilities was approved in a prior amendment. The permittee has submitted new maps showing the location of the soil and rocks to be stored at the topsoil storage area.

Page 2
C/007/039-02A
April 9, 2002

INTRODUCTION

SUMMARY OF OUTSTANDING DEFICIENCIES

SUMMARY OF DEFICIENCIES

The Technical Analysis of the proposed permit changes cannot be completed at this time. Additional information is requested of the permittee to address deficiencies in the proposal. A summary of deficiencies is provided below. Additional comments and concerns may also be found within the analysis and findings made in this Draft Technical Analysis. Upon finalization of this review, any deficiencies will be evaluated for compliance with the regulatory requirements. Such deficiencies may be conditioned to the requirements of the permit issued by the Division, result in denial of the proposed permit changes, or may result in other executive or enforcement action as deemed necessary by the Division at that time to achieve compliance with the Utah Coal Regulatory Program.

Accordingly, the permittee must address those deficiencies as found within this Draft Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

Regulations

R645-301-521, Exhibit A and B will need to be updated to show the location of the Gilson Well topsoil and rock storage sites. This is shown on Plate 2-3 of this amendment. The footnote on Exhibit B will need to reflect the additional disturbed area needed for the Gilson Well soil storage. 7

Page 4
C/007/039-02A
April 9, 2002

SUMMARY OF OUTSTANDING DEFICIENCIES

OPERATION PLAN

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

Minimum Regulatory Requirements:

The objectives of this section is to ensure that the Division is provided with comprehensive and reliable information on proposed underground mining activities, and to ensure that those activities are allowed to be conducted only in compliance with the regulatory program.

Provide a general description of the mining operations proposed to be conducted during the life of the mine within the proposed permit area, including, at a minimum, the following: a narrative description of the type and method of coal mining procedures and proposed engineering techniques, anticipated annual and total production of coal, by tonnage, and the major equipment to be used for all aspects of those operations; and, a narrative explaining the construction, modification, use, maintenance, and removal of the following facilities (unless retention of such facility is necessary for postmining land use is specified.) The following facilities must be described: dams, embankments, and other impoundments; overburden and topsoil handling and storage areas and structures; coal removal, handling, storage, cleaning, and transportation areas and structures; spoil, coal processing waste, mine development waste, and noncoal waste removal, handling, storage, transportation, and disposal areas and structures; mine facilities; and, water pollution control facilities.

Analysis:

Facilities and Structures

The permittee has submitted a new Soil Stockpile Location map showing the location of the topsoil location from the Gilson Well Project. Plate 2-3 indicates the storage of the Gilson topsoil. This map was P.E. certified by Layne D. Jensen, badge #189797.

Findings:

The permittee has met the minimum requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Minimum Regulatory Requirements:

Each application shall contain maps, plans, and cross sections which show the mining activities to be conducted, the lands to be affected throughout the operation, and any change in a facility or feature to be caused by the proposed operations, if the facility or feature was shown and described as an existing structure.

The following shall be shown for the proposed permit area:

Mining facilities maps

OPERATION PLAN

Location of each facility used in conjunction with mining operations. Such structures and facilities shall include, but not be limited to: buildings, utility corridors, roads, and facilities to be used in mining and reclamation operations or by others within the permit area; each coal storage, cleaning, and loading area; each topsoil, spoil, coal preparation waste, underground development waste, and noncoal waste storage area; each water diversion, collection, conveyance, treatment, storage and discharge facility; each source of waste and each waste disposal facility relating to coal processing or pollution control; each facility to be used to protect and enhance fish and wildlife related environmental values; each explosives storage and handling facility; location of each sedimentation pond, permanent water impoundment, coal processing waste bank, and coal processing water dam and embankment, and disposal areas for underground development waste and excess spoil; and, each plan or profile, at cross sections specified by the Division, of the anticipated surface configuration to be achieved for the affected areas during mining operations.

Certification Requirements

Cross sections, maps, and plans required to show the design, location, elevation, or horizontal or vertical extent of the land surface or of a structure or facility used to conduct mining and reclamation operations shall be prepared by, or under the direction of, and certified by a qualified, registered, professional engineer, a professional geologist, or in any State which authorizes land surveyors to prepare and certify such cross sections, maps, and plans, a qualified, registered, professional land surveyor, with assistance from experts in related fields such as landscape architecture.

Each detailed design plan for an impounding structure that meets or exceeds the size or other criteria of the Mine Safety and Health Administration, 30 CFR Section 77.216(a) shall: be prepared by, or under the direction of, and certified by a qualified registered professional engineer with assistance from experts in related fields such as geology, land surveying, and landscape architecture; include any geotechnical investigation, design, and construction requirements for the structure; describe the operation and maintenance requirements for each structure; and, describe the timetable and plans to remove each structure, if appropriate.

Each detailed design plan for an impounding structure that does not meet the size or other criteria of 30 CFR Section 77.216(a) shall: be prepared by, or under the direction of, and certified by a qualified, registered, professional engineer, or in any State which authorizes land surveyors to prepare and certify such plans, a qualified, registered, professional land surveyor, except that all coal processing waste dams and embankments shall be certified by a qualified, registered, professional engineer; include any design and construction requirements for the structure, including any required geotechnical information; describe the operation and maintenance requirements for each structure; and, describe the timetable and plans to remove each structure, if appropriate.

Analysis:

Mining Facilities Maps

The permittee submitted Exhibit A & B as part of this amendment package. Exhibit A is titled, "Expanded Soil Stockpile Area" and Exhibit B titled, "Expanded Soil Stockpile and Transportation Facilities Map. These maps have not been updated to shown the Gilson Well topsoil storage. These maps need to be updated to reflect the same design as on Plate 2-3 of this submitted. It is my opinion that Exhibit B is not needed, since Plate 2-3 has the same information except for the footnote at the bottom of Exhibit B. This footnote pertains to the total disturbed area of 7.8 acres and permit area of 8.6 acres. This footnote could be added to Plate 2-3.

The footnote at the bottom of Exhibit B needs to be updated to reflect the change in disturbed area acres. The 7.8 acres does not include the new storage area for the Gilson Well material.

OPERATION PLAN

Findings:

The permittee has not met all the requirements of this section of the R645 Coal Rules. Prior to approval, the permittee must provide the following in accordance with:

R645-301-521, Exhibit A and B will need to be updated to show the location of the Gilson Well topsoil and rock storage sites. This is shown on Plate 2-3 of this amendment. The footnote on Exhibit B will need to reflect the additional disturbed area needed for the Gilson Well soil storage.

Page 8
C/007/039-02A
April 9, 2002

OPERATION PLAN

RULES INDEX

30 CFR

784.11.....	5
784.2.....	5
784.23.....	5

R645-

301-231	5
301-512	5
301-521	5
301-526	5
301-528	5
301-542	5
301-632	5
301-731	5
302-323	5

O:\007039.DUG\FINAL\ta\TA_02A.doc